

April E. Isaacson (SBN 180638)  
 aisaacson@kilpatricktownsend.com  
**KILPATRICK TOWNSEND & STOCKTON LLP**  
 Two Embarcadero Center, Suite 1900  
 San Francisco CA 94111  
 Tel: (415) 273 8306 / Fax: (415) 576-0300

*Additional Counsel Listed on Signature Page*

Attorneys for Defendants  
 Cox Communications, Inc. *et al.*

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

ENTROPIC COMMUNICATIONS, LLC,  
 Plaintiff,

v.

COX COMMUNICATIONS, INC., *et al.*,  
 Defendants.

Case No.: 2:23-cv-01049-JWH-KES  
 Case No.: 2:23-cv-01050-JWH-KES

***ENTROPIC COMMUNICATIONS, LLC  
 v. COX COMMUNICATIONS, INC., et  
 al., CASE NO. 2:23-cv-01049-JWH-KES***

ENTROPIC COMMUNICATIONS, LLC,  
 Plaintiff,

v.

COMCAST CORPORATION, *et al.*,  
 Defendants.

***ENTROPIC COMMUNICATIONS, LLC  
 v. COMCAST CORPORATION, et al.,  
 CASE NO. 2:23-cv-01050-JWH-KES***

COX COMMUNICATION, INC., *et al.*,  
 Counter-Claimant,

v.

ENTROPIC COMMUNICATIONS, LLC;  
 MAXLINEAR, INC.; AND  
 MAXLINEAR COMMUNICATIONS  
 LLC,

Counter-Defendants.

1 The parties, Plaintiff Entropic Communications, LLC (“Entropic”) and  
 2 Defendants Cox Communications, Inc.; Coxcom, LLC; and Cox Communications  
 3 California LLC (collectively “Cox” or “Cox Defendants”); and Defendants Comcast  
 4 Corporation; Comcast Cable Communications, LLC; and Comcast Cable  
 5 Communications Management, LLC (collectively “Comcast” or “Comcast  
 6 Defendants”) (together with Entropic, the “Parties”) hereby submit the following Joint  
 7 Stipulation to consolidate the following cases through the date of the *Markman* hearing:

- 8 • *Entropic Communications, LLC v. Cox Communications, Inc., et al.*, Case  
 9 No. 2:23-cv-01049-JWH-KES;
- 10 • *Entropic Communications, LLC v. Comcast Corporation, et al.*, Case No.  
 11 2:23-cv-01050-JWH-KES; and

12 **WHEREAS**, Rule 42(a) of the Federal Rules of Civil Procedure provides that a  
 13 court may consolidate actions before it if the cases involve a common question of law  
 14 or fact;

15 **WHEREAS**, district courts have broad discretion under this rule to consolidate  
 16 cases pending within the same district, and consolidation of related cases in federal court  
 17 is strongly encouraged (*see Ashe v. Swenson*, 397 U.S. 436, 455 (1970); *Pierce v. County*  
 18 *of Orange*, 526 F.3d 1190, 1203 (9th Cir. 2008); *Investors Research Co. v. United States*  
 19 *Dist. Court for Cent. Dist. of Cal.*, 877 F.2d 777 (9th Cir. 1989);

20 **WHEREAS**, on February 10, 2023, Entropic filed complaints against Cox and  
 21 Comcast in the above-captioned cases, alleging infringement of the same patents;

22 **WHEREAS**, the two actions involve the same plaintiff, the same patents, and  
 23 claims of infringement directed to cable equipment;

24 **WHEREAS**, except for Comcast’s pending motion to dismiss for lack of subject  
 25 matter jurisdiction and Cox’s recently filed counterclaims, the cases are also  
 26 procedurally aligned in that they are all in their early stages and some have not  
 27 progressed beyond the pleading stage;

1       **WHEREAS**, consolidation of the cases would reduce the burden on the Court by:  
2       1) reducing the number of duplicative filings and orders, and 2) reducing the number of  
3       separate hearings on procedural and substantive issues the Court must schedule;

4       **WHEREAS**, consolidation of these cases would also increase efficiency for the  
5       Parties;

6       **WHEREAS**, consolidation of the cases will avoid inconsistent results within each  
7       case on identical issues, particularly with regard to discovery rulings and claim  
8       construction of the same terms that are at issue in both cases;

9       **WHEREAS**, no party would be prejudiced by consolidation as all Parties have  
10      agreed to consolidate cases for pretrial purposes through the *Markman* hearing.

11      **WHEREFORE**, the Parties hereby stipulate to request that the Court issue an  
12      order consolidating the above-captioned cases against the Cox and Comcast Defendants  
13      into a single action for pretrial purposes through the date of the *Markman* hearing, with  
14      the Lead Case being 2:23-cv-01049-JWH-KES. The Parties further stipulate to request  
15      that the Court order separate trials for each Defendant pursuant to Rule 42(b) of the  
16      Federal Rules of Civil Procedure and 35 U.S.C. § 299.

17      Dated: October 16, 2023

Respectfully Submitted,

By: /s/ April E. Isaacson

April E. Isaacson (SBN 180638)

aisaacson@kilpatricktownsend.com

**KILPATRICK TOWNSEND & STOCKTON LLP**

Two Embarcadero Center, Suite 1900

San Francisco CA 94111

Tel: (415) 273 8306 / Fax: (415) 576-0300

Rishi Gupta (SBN 313079)

rgupta@kilpatricktownsend.com

Sarah Y Kamran (SBN 347617)

skamran@kilpatricktownsend.com

**KILPATRICK TOWNSEND & STOCKTON LLP**

1801 Century Park East, Suite 2300

Los Angeles CA 90067

Tel: (310) 248-3830 / Fax: (310) 860-0363

1 Mitchell G. Stockwell (*admitted pro hac vice*)  
2 mstockwell@kilpatricktownsend.com  
3 Christopher S. Leah (*admitted pro hac vice*)  
4 cleah@kilpatricktownsend.com  
5 Courtney S. Dabbieri  
6 cdabbieri@kilpatricktownsend.com  
7 Michael J. Turton (*admitted pro hac vice*)  
8 mturton@kilpatricktownsend.com  
9 Vaibhav P. Kadaba (*admitted pro hac vice*)  
10 wkadaba@kilpatricktownsend.com  
11 **KILPATRICK TOWNSEND & STOCKTON LLP**  
12 1100 Peachtree Street, Suite 2800  
13 Atlanta, GA 30309-4530  
14 Tel: (404)-815-6214 / Fax: (404)-541-3403

11 **ATTORNEYS FOR DEFENDANTS COX**  
12 **COMMUNICATIONS, INC.; COXCOM,**  
13 **LLC; AND COX COMMUNICATIONS**  
14 **CALIFORNIA, LLC**

15 Dated: October 16, 2023

16 By: /s/ Christina N. Goodrich  
17 Christina N. Goodrich (SBN 261722)  
18 Connor J. Meggs (SBN 336159)  
19 **K&L GATES LLP**  
20 10100 Santa Monica Blvd., 8th Fl.  
21 Los Angeles, CA 90067  
22 Tel.: (310) 552-5547 / Fax: (310) 552-5001  
23 christina.goodrich@klgates.com  
24 connor.meggs@klgates.com

25 Peter Soskin (SBN 280347)  
26 **K&L GATES LLP**  
27 4 Embarcadero Center, Suite 1200  
28 San Francisco, CA 94111  
Tel.: (415) 882-8200 / Fax: (415) 882-8220  
peter.soskin@klgates.com

1 James Shimota (admitted *pro hac vice*)  
2 George Summerfield (admitted *pro hac vice*)  
3 **K&L GATES LLP**  
4 70 W. Madison Street, Suite 3300  
5 Chicago, IL 60602  
6 Tel.: (312) 372-1121 / Fax: (312) 827-8000  
7 jim.shimota@klgates.com

8 Darlene F. Ghavimi (admitted *pro hac vice*)  
9 **K&L GATES LLP**  
10 2801 Via Fortuna, Suite #650  
11 Austin, TX 78746  
12 Tel.: (512) 482-6919 Fax: (512) 482-6859  
13 darlene.ghavimi@klgates.com

14 Kenneth Bridges  
15 **Bridges IP Consulting**  
16 2113 19th Avenue S  
17 Nashville, TN 37212  
18 Tel: (615) 973-9478  
19 bridgesip@icloud.com

20 **ATTORNEYS FOR PLAINTIFF**  
21 **ENTROPIC COMMUNICATIONS, LLC**

22 Dated: October 16, 2023

23 By: /s/ Krishnan Padmanabhan  
24 Krishnan Padmanabhan (SBN 254220)  
25 padmanabhan@winston.com  
26 **WINSTON & STRAWN LLP**  
27 200 Park Ave.  
28 New York City, NY 10166  
Tel: (212) 294-3564 / Fax: (212) 294-4700

Brian E. Ferguson (admitted *pro hac vice*)  
beferguson@winston.com  
**WINSTON & STRAWN LLP**  
1901 L Street NW  
Washington, DC 20036  
Tel: (202) 282-5000 / Fax: (202) 282-5100

1 Diana Hughes Leiden  
2 dhleiden@winston.com  
3 **WINSTON & STRAWN LLP**  
4 333 South Grand Avenue 38th Floor  
5 Los Angeles, CA 90071-1543  
6 Tel: (213) 615-1700 / Fax: (213) 615-1750

7 Saranya Raghavan (admitted *pro hac vice*)  
8 sraghavan@winston.com  
9 **WINSTON & STRAWN LLP**  
10 35 West Wacker Drive  
11 Chicago, IL 60601  
12 Tel: (312) 558-5600 / Fax: (312) 558-5700

13 **ATTORNEYS FOR DEFENDANTS**  
14 **COMCAST CORPORATION; COMCAST**  
15 **CABLE COMMUNICATIONS, LLC; AND**  
16 **COMCAST CABLE COMMUNICATIONS**  
17 **MANAGEMENT, LLC**

18  
19 **SIGNATURE CERTIFICATION**

20 Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, April E. Isaacson, attest that all other  
21 signatories listed above concur in this filing's content and have authorized the filing.

22  
23 /s/ April E. Isaacson

24 April E. Isaacson  
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